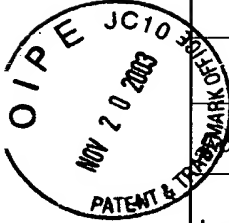


1653



AMENDMENT TRANSMITTAL LETTER			Docket No. 28594/35007A	
Application No. 09/400,769-Conf. #03787	Filing Date September 22, 1999	Examiner H. Robinson		Art Unit 1653

Applicant(s): Erik Helmerhorst, et al.

Invention: USE OF NON-PEPTIDYL COMPOUNDS FOR THE TREATMENT OF INSULIN RELATED AILMENTS

TO THE COMMISSIONER FOR PATENTS

RECEIVED

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

NOV 26 2003

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	34	- 47 =		x	0.00
Independent Claims	3	- 3 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

TECH CENTER 1600/2900

- ☐ Large Entity ☒ Small Entity
- ☒ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 13-2855 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

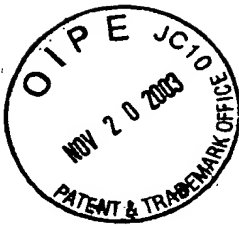
Mark H. Hopkins, Ph.D.
Attorney Reg. No.: 44,775

Dated: November 17, 2003

MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6621

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 17, 2003 Signature: Mark H. Hopkins, Ph.D. (Mark H. Hopkins, Ph.D.)



PATENT

ATTORNEY DOCKET NO. 28594/35007A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Helmerhorst et al.

Application Serial No: 09/400,769

Filed: September 22, 1999

Title: Use of Non-Peptidyl Compounds
For The Treatment of Insulin-Related
Ailments

Group Art Unit: 1653

Examiner: H. Robinson

CERTIFICATE OF MAILING

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22313-1450 on November 17, 2003.

Mark H. Hopkins, Ph.D.
Reg. No. 44,775
Agent for Applicants

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AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.111 **TECH CENTER 1600/2900**

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is in response to the Office Action dated August 20, 2003 in which all elected claims (1-10, 16, 17, 20-25 and 32-47) stand rejected under 35 U.S.C. §§ 102(a) and 112, first and second paragraphs. Reconsideration of the rejection is solicited for the reasons set out below. This response is timely filed without a fee before November 20, 2003.

Please amend the above-identified U.S. patent application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 19 of this paper.